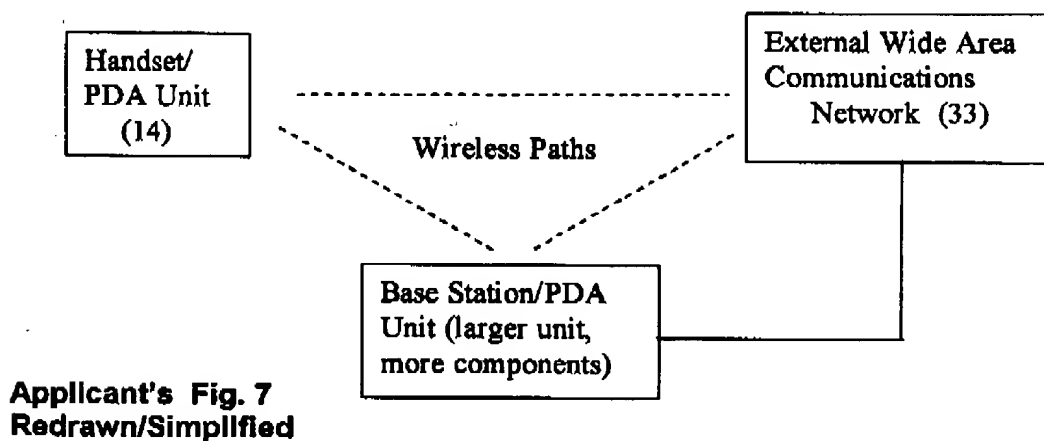


Box AF  
*Expedited Procedures*  
 Group 2600

### REMARKS

Claims 54- 56-58, 60-62, and 64-69 are pending in this instant application, and new Claim 70 has herein been submitted. Claims 54, 57, 61, 62, and 67 have been amended. Claims 54 and 62 are the independent claims. Claims 55-61 and 63-70 are dependant claims. As shown below, Applicant's specification discloses that the handset unit (14) may include a small PDA unit; and the base unit (100) may also be a PDA unit that is larger and comprises of more components and functions, including relay functions. Shown below is a simplified form of Fig. 7. This shows Applicant's useful, novel and non-obvious communication path structure, which is not taught in the prior art.



### Claim Rejections 35 USC § 112, First Paragraph

Examiner rejected Claims 56, 57 and 61 under 35 USC § 112, First Paragraph as "failing to comply with the enablement requirement." Regarding Claim 56 Examiner states the "specification fails to provide support for a handset unit configured to a PDA."

However, as accepted in paper 35 by the previous Examiner, the specification does provide enabling support for a hand unit configured to a PDA. This is evidenced by the specification stating:

Box AF  
Expedited Procedures  
Group 2600

"PDAs are **small handheld units** with a small LCD display, small key pad and touch pen. PDAs are designed to be placed in one's pocket or purse for maximum portability." [Page 1, line 34 to Page 2, line 2] [Emphasis added];

and

"Control code 81 may control the bi-directional **handset** or earset to base unit communications operations. These operations may execute roughly simultaneously or on a time shared bases, as indicated by connection 83. Under program control, either the **wireless handset** or the earset may communicate data first between the base unit, then the base unit may relay the data to/from the external communications network. The above communications may involve two way or bi-directional communications, including many types of data (including text, voice, graphics, video and/or images)." [Page 18, line 19-26] [Emphasis added] Also, shown in Applicant's Figs. 3 and 7.

Both direct quotes above are evidence that the specification describes *handset (14) may also be a PDA*, such that the disclosure enables one skilled in the art to which it pertains, or with which it is most nearly connected, to make/or use the invention. For the above reasons, Applicant respectfully requests Claims 56, 57 and 61 be placed into allowance.

**Claim Rejections – 35 U SC § 102**  
***over Babitch et al***

Examiner rejected Claims 54, 56, 58, 60, 62, 64, 65 and 69 under U.S.C. 102(e) as being anticipated by Babitch et al (US Patent 5,930,719). However, Babitch does not teach nor anticipate Applicant's wireless communication path structure as taught in Applicant's Fig. 7 (and redraw in simplified form below). In addition, Babitch does not teach the same parts or having the same functions as the Applicant's invention. Babitch does not state that wireless link (16) is a short distance link, in contrast. In fact Babitch teaches toward large distance RF link by stating: "The RF link (16) can be any suitable service compatible with cordless cordless telephone use" [Col. 3, ln 6] and by teaching a PSTN. In contrast, Claim 54 teach local wireless communication between a handset/PDA and a portable base station "a short distance away." [Claim 54, element (b)]

Box AF  
*Expedited Procedures*  
*Group 2600*

As to Claim 62, Babitch never teaches "wireless data networking" [element (a)]. Babitch only teaches voice and data communications. In addition, Babitch never states that their cordless base station (18) is "portable" [elements a, b, c, & d]. In fact, Babitch teaches toward non-portability by showing a rectangle in side element (18) presumably a cordless handset identical to handset (12) inside and total part is shown much larger than the element (12). As to Claim 65, Babitch never discloses the Internet. The only network Babitch discloses is the telephone network.

Babitch teaches a "cordless telephone system" (10), where their "cordless handset" (12) is cordless only to the "cordless base stations" (18). At the other end of the handset (12), Babitch requires an external modem connection cable connecting it to a laptop or palmtop computer (14). Unlike Applicant's claims, Babitch's handset is not free of external cable or wire connections, see the required "modem comm" cable in Fig. 1. In fact, Babitch states:

"Critical to the present invention is the combination of analog modulation on the radio, echo cancellation and automatic gain control between the telephone network and the base radio and a standard telephone interface jack to connect the handset to the laptop modem port." [col. 7, lines 19-23]

One can see from the above, Babitch teaches a "cordless phone system" comprising of to a laptop connected to a cordless handset via a cable. In contrast, Applicant's wireless handset/PDA is a single self-contained wireless device, without wires, connecting to any of the other disclosed devices, as evidence see Applicant's Fig. 3C and Fig. 7 and associated text.

In addition, unlike Applicant's handset/PDA, no where in Babitch's disclosure do they state the cordless handset (12) that contains a computer or microprocessor inside it. In fact both of Babitch's cordless handset (12) and cordless base station (18) both require wired connections to the laptop computer (14) and desktop computer (20), respectively, see Fig. 1. For all the above reasons Claims 54- 56-58, 60-62, and 64-69 appear allowable under the

Box AF  
Expedited Procedures  
Group 2600

meaning of 35 USC § 102(e), hence Applicant most respectfully requests they be placed into allowance.

***Claim Rejections – 35 USC § 102  
as Anticipated by Puthuff***

Examiner rejected Claims 61 and 66 under 35 USC § 102(e) as being anticipated by Puthuff (US Patent 6,112,103). Examiner states “Puthuff discloses a method for communication including transmitting data from hands-free earphones (400) and (402) via a wireless link to a portable local communication base unit (100).” However, the communication path structure of Puthuff is fundamentally different described in Claims 61 and 66 (and shown in Fig. 7 see above). As shown in Puthuff’s Fig. 1, ear sets (400, 402) only communicate wirelessly to a personal Communication nodes (PCN) (100). Puthuff’s earset can only communicate wirelessly with PCNs, and PCNs are only direct connected to the other devices. As evidence of this, Puthuff states:

“As shown by the arrows in Fig. 1, the PCN 100 can be coupled to several different types of remote devices, either directly or through a universal adapter 200.” [Col. 3, ln 5-7]

“Alternately, the PCN 100 can be connected to a cellular or pager 302 via an adapter 200.” [Col. 3, ln 13-16]

“The PCN 100 can also be connected to a personal computer 308 via the adapter 200 through a parallel or serial port on the personal computer 308. Alternately, the PCN 100 can connected directly to a personal computer 310 that includes I/O jacks for connection to the PCN.” [Col. 3, lns 34-38]

For all the above reasons and evidence, Claims 61 and 66 appear allowable under the meaning of 35 USC § 102(e). Therefore, Applicant respectfully ask the claims be placed in allowance.

***Claims Rejections –  
35 USC § 103***

Examiner rejected Claim 57 and 67 under 35 USC § 103(a) as being unpatentable over Babitch in view of Haartsen (US 5,699,367). Examiner states that “Babitch fails to disclose a handset that communicates wirelessly with a portable base station”, but Haartsen “discloses a

Box AF  
Expedited Procedures  
Group 2600

short-range RF link between a cellular telephone and portable base unit, shown as a laptop computer." However, look closely at Haartsen's Fig. 2 (and other figures) and compare it to Applicant's Fig. 7 – redrawn in summarized form above. One can see that the communication structure of the devices and relay paths are very different. Haartsen's communication path is linear (in straight path) from laptop to cellular phone to long distance cellular base station, where the cellular phone is the relay device. Now look at Applicant's Fig. 7 and described in Claim 57 and 67. Applicant's handset (14), base unit [collection of parts with antenna (32)], and external wide area communications network (33) form a triangle path structure (not a linear path). Applicant's communication path structure of Fig. 7 is not taught in either reference, and it would not be obvious for one to make modifications in either reference to make the Applicant's claims. In fact each teach away from a triangular type structure (Haartsen by teaching single relay path in all figures; and Babitch by teaching a single RF link). For all the above reasons, Claims 57 and 67 appear allowable under the meaning of 35 USC § 103(a); therefore, Applicant respectfully request they be placed into allowance.

#### Conclusions

Claims 54- 56-58, 60-62, and 64-70 appear to be patentable under the meaning of 35 U.S.C. § 112 first paragraph, §102(b), and §103(b). No new matter has been added. All claim amendments were made to remove confusion, claim more particularly, and to bring to life the meaning of the specification and drawings, not for patentability reasons. Claim amendments do not narrow the scope of the claims. Applicant reserves the right to swear behind references cited at a later time. Applicant most respectfully requests Claims 54- 56-58, 60-62, and 64-70 be placed into allowance.

Sincerely,



Richard J. Ditzik  
Applicant Pro Se  
307 Surrey Drive  
Bonita, CA 91902

Date: 08/29/04

(619) 993-5807 (Voice) (619) 479-5613 (Fax)